

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 HASAN MALIK DAVIS,

Case No. 3:22-cv-00325-MMD-CSD

4 Plaintiff,

ORDER

5 v.

6 WASHOE COUNTY SHERIFF'S OFFICE,  
et al.,

7 Defendants.

8  
9 **I. DISCUSSION**

10 Plaintiff Hasan Malik Davis, who was previously detained at Washoe County  
11 Detention Center, initiated this action with a pro se civil rights complaint filed pursuant to  
12 42 U.S.C. § 1983 by a state prisoner. (ECF No. 1-1.) Plaintiff has filed two applications  
13 to proceed *in forma pauperis* for inmates. (ECF Nos. 4, 6.) However, on October 6, 2022,  
14 Plaintiff filed an updated address, indicating that he is not longer being detained at  
15 Washoe County Detention Center. (ECF No. 12.) Therefore, the Court denies Plaintiff's  
16 applications to proceed *in forma pauperis* for inmates as moot because Plaintiff is no  
17 longer incarcerated. The Court now directs Plaintiff to file an application to proceed *in*  
18 *forma pauperis* by a non-prisoner within thirty (30) days from the date of this order or pay  
19 the full filing fee of \$402. If Plaintiff fails to file an application to proceed *in forma pauperis*  
20 by a non-prisoner, or pay the filing fee, within 30 days, this case will be subject to  
21 dismissal without prejudice.

22 Plaintiff has also filed a proposed amended complaint (ECF No. 5), as well as a  
23 motion to amend his complaint (ECF No. 8). In the motion, it appears that Plaintiff is  
24 attempting to add claims to his proposed amended complaint. The Court will not  
25 piecemeal Plaintiff's complaint together from multiple filings. Plaintiff's operative  
26 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes  
27 to pursue in this lawsuit. As such, the Court grants Plaintiff leave to file a fully complete  
28 second amended complaint within 30 days. If Plaintiff does not file a fully complete

1 second amended complaint, the court will screen his proposed amended complaint, filed  
2 at ECF No. 5.

3 **II. CONCLUSION**

4 For the foregoing reasons, IT IS ORDERED that Plaintiff's applications to proceed  
5 *in forma pauperis* for inmates (ECF Nos. 4, 6) are DENIED as moot.

6 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the  
7 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the  
8 document entitled information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
10 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for  
11 non-prisoners; or (2) pay the full filing fee of \$402. If Plaintiff fails to file a complete  
12 application to proceed *in forma pauperis* or pay the full filing fee within 30 days, this case  
13 will be subject to dismissal without prejudice.

14 IT IS FURTHER ORDERED that Plaintiff's motion to amend the complaint (ECF  
15 No. 8) is DENIED. Plaintiff is given leave to file a single, fully complete, second amended  
16 complaint within 30 days. If Plaintiff does not file a second amended complaint, but he  
17 does file an application to proceed *in forma pauperis*, or pays the full filing fee, the Court  
18 will screen Plaintiff's proposed amended complaint filed at ECF No. 5.

19 DATED THIS 4th day of November 2022.

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21 UNITED STATES MAGISTRATE JUDGE

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